

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TATIANA WESTBROOK, an individual;
JAMES WESTBROOK, an individual; HALO
BEAUTY PARTNERS, LLC, a Nevada Limited
Liability Company,

Plaintiffs,

v.

KATIE JOY PAULSON, an individual;
WITHOUT A CRYSTAL BALL, LLC, a
Minnesota Limited Liability Company; and
DOES 1 through 100, inclusive,

Defendants.

NO. 2:20-cv-01606-BJR

**PLAINTIFFS' PROPOSED
ALTERNATIVE TO FILING RECORDS
UNDER SEAL**

Local Rule 5(g)(1) states that a “(1) A party must explore all alternatives to filing a document under seal.”

Local Rule 5(3)(B) further states that a motion to file under seal must set forth:
“the reasons for keeping a document under seal, including an explanation of:

- i. the legitimate private or public interests that warrant the relief sought;
- ii. the injury that will result if the relief sought is not granted; and

iii. why a less restrictive alternative to the relief sought is not sufficient.”

Defense Counsel wishes to file documents under seal that he claims disclose purported mental health issues of a third-party witness. Plaintiffs agree that the disclosure of such information should not be made public. However, Plaintiffs' concern is that should Defense Counsel file a Motion to Seal said documents, and fail to meet the high burden imposed by the Local Rules as to the sealing of documents, that the contents of said documents containing such private information about a third-party witness would automatically become public. As such, pursuant to Local Rule 5(3)(B)iii, a less restrictive alternative exists that otherwise does not place a third party witness's information at risk for becoming public.

Specifically, because the Court has inherent authority over its proceedings, and the ability to spare a non-party witness public embarrassment, Plaintiffs respectfully propose that Defendants submit the sensitive information at issue for in camera review. This can be done via an email from Defendants' Counsel to the Court and Plaintiffs' Counsel with the confidential documents attached thereto. This is a less restrictive alternative to achieve the result of the disclosure of a third-party witness's private and sensitive information.

Despite Plaintiffs proposing a less restrictive means of submitting sensitive information, Plaintiffs wish to make it clear that Plaintiffs do not stipulate that the documents are appropriate for use or filing in this case by Defense Counsel. As such, Plaintiffs hereby expressly reserve any and all right to object to the submission and use of such information, and to otherwise argue against the proposition for which Defendants are submitting such information to this Court.

Dated: January 26, 2021

CARROLL, BIDDLE, & BILANKO, PLLC

**PLAINTIFFS' PROPOSED
ALTERNATIVE TO FILING RECORDS
UNDER SEAL - 2**
(2:20-CV-01606-BJR)

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CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury under the laws of the United States that on this day a true and accurate copy of the document to which this declaration is affixed was filed with the above-entitled Court through CM/ECF and was sent as indicated below on this day, to:

Attorneys for Defendants:

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☐ U.S. Mail Postage Prepaid
☒ CM/ECF
☐ Hand Delivery
☐ Email: mbrown@gordontilden.com

cc: cswanson@gordontilden.com

DATED this 26th day of January 2021.

/s/ Jason Bilanko

Jason Bilanko, Paralegal